

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION
NO. 252 PENSION PLAN, ELECTRICAL
WORKERS LOCAL NO. 252 HEALTH
& WELFARE PLAN, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL UNION NUMBER 252
DEFINED CONTRIBUTION/401(K) PLAN,
ELECTRICAL WORKERS LOCAL NUMBER
252 APPRENTICE SCHOOL PLAN,
INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS LOCAL UNION
252 JOINT APPRENTICE TRAINING FUND,
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL 252 LABOR
MANAGEMENT COOPERATION FUND, and
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION NO. 252,

Plaintiffs,

v

WIRED RIGHT ELECTRIC CO.,
a Michigan corporation,

Defendant.

Case No. 06-10943

Hon. Denise Page Hood
Mag. Judge Capel

CONSENT JUDGMENT

Joy M. Glovick (P66961)
Conlin, McKenney & Philbrick, P.C.
Attorneys for Plaintiffs
350 South Main Street, Suite 400
Ann Arbor, Michigan 48104-2131
(734) 761-9000

CONSENT JUDGMENT

At a session of the Court held in the United States District Court, Eastern District of Michigan, Southern Division, on the 21st day of August, 2006.

PRESENT: Hon. Denise Page Hood
United States District Judge

This matter having come before the Court pursuant to the consent of the parties as evidenced by the signatures below, and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that a judgment shall be and hereby is entered in favor of the Plaintiffs and against the Defendant, Wired Right Electric Co., in the amount of \$35,639.91, which includes \$24,733.34 for unpaid fringes, \$9,093.57 for liquidated damages, plus \$1,813.00 for costs and attorney fees incurred in this matter through April 17, 2006, and is subject to reduction as provided in this Consent Judgment.

IT IS FURTHER ORDERED that Defendant shall pay interest on the judgment amount at the rate of six percent (6%) per annum.

IT IS FURTHER ORDERED that Defendant shall pay said judgment amount and interest in installment payments as follows:

1. \$2,000.00 on or before May 1, 2006.
2. \$2,000.00 on or before June 1, 2006.
3. \$2,000.00 on or before July 1, 2006.
4. \$2,000.00 on or before August 1, 2006.
5. \$2,000.00 on or before September 1, 2006.
6. \$2,000.00 on or before October 1, 2006.

7. \$2,000.00 on or before November 1, 2006.
8. \$2,000.00 on or before December 1, 2006.
9. \$2,000.00 on or before January 1, 2007.
10. \$2,000.00 on or before February 1, 2007.
11. \$2,000.00 on or before March 1, 2007.
12. The remaining balance, subject to reduction as provided below, on or before April 1, 2007.

IT IS FURTHER ORDERED that if Defendant makes an installment payment numbered as 1 through 11 above that exceeds \$2,000.00 (the “Excess Installment”), Defendant shall have the option of applying the excess to either (a) the next monthly installment due, so that the amount due under such installment is reduced by such excess amount or (b) the installment for the remaining balance due under item 12 above. Such election shall be indicated by Defendant with the Excess Installment, or if no election is made by Defendant, applied to the installment for remaining balance due under item 12 above.

IT IS FURTHER ORDERED that the parties acknowledge that Defendant intends to request the Joint Delinquency Committee that the liquidated damages of \$9,093.57 be waived. The amount payable by Defendant on or before April 1, 2007 for the balance of the judgment (the installment numbered 12, above) shall be reduced by the amount of liquidated damages, if any, that the Joint Delinquency Committee agrees to waive.

IT IS FURTHER ORDERED that the above payments must be made payable to “IBEW Local 252 Collection Account” and received by Plaintiffs’ attorney at 350 South Main Street, Suite 400, Ann Arbor, Michigan 48104-2131 on or before the due date indicated above.

IT IS FURTHER ORDERED that if Defendant pays all amounts owed to Plaintiffs, as set forth above, then Plaintiffs shall promptly file a satisfaction of judgment with the Court.

IT IS FURTHER ORDERED that Defendant shall timely file a full, complete and accurate fringe benefit report and timely pay all amounts due thereunder during the pendency of the payments due under this Consent Judgment.

IT IS FURTHER ORDERED that, in the event of a default by the Defendant in the terms of this Consent Judgment, and upon Plaintiffs' filing of an Affidavit of Default with the Court, Plaintiffs may do any or all of the following:

- A. Immediately pursue any and all legal post-judgment collection proceedings against Defendant.
- B. Seek collection of the judgment amount less any payments made, plus statutory interest pursuant to the laws of the State of Michigan accruing from the date of filing of Plaintiffs' Complaint to the date of collection.
- C. Seek collection of payment of Plaintiffs' reasonable attorney fees from the date of filing of Plaintiffs' Complaint to the date of collection.
- D. Seek such other or further legal or equitable relief as the Court deems just and proper under the circumstances.

s/ DENISE PAGE HOOD

Hon. Denise Page Hood
U.S. District Court Judge

I STIPULATE TO THE ENTRY OF THIS JUDGMENT, HAVE READ ITS TERMS AND AGREE TO BE BOUND BY THEM.

s/_____
Joy M. Glovick
Attorney for Plaintiff
Conlin, McKenney & Philbrick, P.C.
350 South Main Street, Suite 400
Ann Arbor, Michigan 48104-2131
glovick@cmlaw.com
(P66961)

s/_____
Robert C. Sweets, President of
Defendant Wired Right Electric Co.

C:\WPTEXT\06-10943 CONSENT JUDGMENT.WPD